**EXHIBIT 2** 

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Mark: WAYNE FARMS



US Serial Number: 86212615 Application Filing Mar. 06, 2014

Date:

US Registration 4683867 Registration Date: Feb. 10, 2015 Number:

Filed as TEAS Yes **Currently TEAS** Yes Plus:

Plus: Register: Principal

**TM5 Common Status** Descriptor:

Mark Type: Trademark

LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 10, 2015 Publication Date: Nov. 25, 2014

#### **Mark Information**

Mark Literal WAYNE FARMS

Elements:

Standard Character No Claim:

Mark Drawing 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Type:

Description of The mark consists of the words "WAYNE FARMS" with a line above and below, and an image of a barn, silo and tree within a partial

Mark: oval above the words. A series of Chinese characters are centered below the line under "WAYNE FARMS".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "FARMS"

Transliteration: The transliterations of the Chinese Characters in the mark are "Da, Wei, Kang, Di". These translate into English to mean "big, powerful,

Design Search 05.01.01 - Evergreens and other trees or bushes of triangular or conical shape; Pine tree

Code(s): 07.01.02 - Farmhouse

07.03.04 - Barns; Silos; Stables

26.03.02 - Plain single line ovals; Ovals, plain single line

26.17.13 - Underlined words or letters; Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words

or letters

28.01.03 - Japanese and Chinese characters; Chinese characters; Japanese characters

# Related Properties Information

Claimed Ownership 0980466, 2257934, 4371372

of US Registrations:

#### **Goods and Services**

#### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Poultry

International 029 - Primary Class U.S Class(es): 046 Class(es):

Class Status: ACTIVE

Basis: 1(a)

**First Use:** Feb. 06, 2014 **Use in Commerce:** Feb. 06, 2014

### **Basis Information (Case Level)**

Filed Use:YesCurrently Use:YesFiled ITU:NoCurrently ITU:NoFiled 44D:NoCurrently 44E:NoFiled 44E:NoCurrently 66A:NoFiled 66A:NoCurrently No Basis:No

Filed No Basis: No

#### **Current Owner(s) Information**

Owner Name: Wayne Farms LLC
Owner Address: 4110 Continental Drive

Oakwood, GEORGIA UNITED STATES 30566

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE

Where Organized:

Phone: 312 427 1300

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: David Brezina Docket Number: 3T14658502

Attorney Primary CHIUSTM@LADAS.NET Email Address: Attorney Email Yes Authorized:

Correspondent

Correspondent DAVID BREZINA
Name/Address: LADAS & PARRY LLP

224 S MICHIGAN AVE STE 1600

CHICAGO, ILLINOIS UNITED STATES 60604-2508

**Phone:** 312 427 1300 **Fax:** 312 427 6663

Correspondent e- CHIUSTM@LADAS.NET Correspondent e- Yes mail: mail Authorized:

Domestic Representative

Domestic David Brezina

Representative Name:

Fax: 312 427 6663

Domestic CHIUSTM@LADAS.NET Domestic Yes
Representative email: Representative email Authorized:

# **Prosecution History**

Date	Description	Proceeding Number
Feb. 10, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jun. 15, 2015	NOTICE OF SUIT	
Feb. 10, 2015	REGISTERED-PRINCIPAL REGISTER	
Nov. 25, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 25, 2014	PUBLISHED FOR OPPOSITION	
Nov. 05, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 23, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Oct. 23, 2014	ASSIGNED TO LIE	68552
Oct. 02, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	

TM Ctoff and I coation Information			
Mar. 10, 2014	NEW APPLICATION ENTERED IN TRAM		
Mar. 19, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM		
Mar. 20, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED		
May 21, 2014	ASSIGNED TO EXAMINER	76725	
May 31, 2014	NON-FINAL ACTION WRITTEN	76725	
May 31, 2014	NON-FINAL ACTION E-MAILED	6325	
May 31, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325	
Oct. 01, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED		
Oct. 01, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889	
Oct. 01, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889	

#### TM Staff and Location Information

**TM Staff Information - None File Location** 

Current Location: PUBLICATION AND ISSUE SECTION Date in Location: Feb. 10, 2015

#### **Assignment Abstract Of Title Information**

Summary

**Total Assignments: 2** Registrant: Wayne Farms LLC

Assignment 1 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: <u>5486/0067</u> Pages: 8

Date Recorded: Mar. 26, 2015

Supporting assignment-tm-5486-0067.pdf

Documents:

**Assignor** 

Name: WAYNE FARMS LLC Execution Date: Mar. 26, 2015 Legal Entity Type: LIMITED LIABILITY COMPANY State or Country DELAWARE

Where Organized:

**Assignee** 

Name: , NEW YORK BRANCH, AS ADMINISTRATIVE AGENT" target="\_new"> COOPERATIEVE CENTRALE RAIFFEISEN-

BOERENLEENBANK B.A., "RABOBANK NEDERLAND", NEW YORK BRANCH, AS ADMINISTRATIVE AGENT

Legal Entity Type: NEW YORK STATE LICENSED BRANCH OF A

**DUTCH BANKING COOPERATIVE** 

State or Country NETHERLANDS

Where Organized:

Address: 245 PARK AVENUE

NEW YORK, NEW YORK 10167

Correspondent

Correspondent LASHANA C. JIMMAR, PARALEGAL

Name:

Correspondent GREENBERG TRAURIG, LLP

Address: 3333 PIEDMONT ROAD, NE, SUITE 2500

ATLANTA, GA 30305

#### **Domestic Representative - Not Found**

#### Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 6478/0553 Pages: 8

Date Recorded: Nov. 08, 2018

Supporting assignment-tm-6478-0553.pdf

**Documents:** 

**Assignor** 

Name: WAYNE FARMS LLC Execution Date: Nov. 08, 2018 Legal Entity Type: LIMITED LIABILITY COMPANY State or Country DELAWARE

Where Organized:

### Case: 1:20-cv-05191 Document #: 32-3 Filed: 12/10/20 Page 5 of 7 PageID #:319

Assignee

Name: COOPERATIEVE RABOBANK U.A., NEW YORK BRANCH, AS ADMINISTRATIVE AGENT

Legal Entity Type: A NEW YORK STATE LICENSED BRANCH OF A State or Country NETHERLANDS

DUTCH BANKING COOPERATIVE Where Organized:

Address: 245 PARK AVENUE

NEW YORK, NEW YORK 10167

Correspondent

Correspondent LASHANA C. JIMMAR, PARALEGAL

Name:

Correspondent GREENBERG TRAURIG, LLP

Address: 3333 PIEDMONT ROAD, NE, SUITE 2500

ATLANTA, GA 30305

**Domestic Representative - Not Found** 

# United States of America United States Patent and Trademark Office



Reg. No. 4,683,867

WAYNE FARMS LLC (DELAWARE LIMITED LIABILITY COMPANY)

4110 CONTINENTAL DRIVE

Registered Feb. 10, 2015 OAKWOOD, GA 30566

Int. Cl.: 29

FOR: POULTRY, IN CLASS 29 (U.S. CL. 46).

**TRADEMARK** 

FIRST USE 2-6-2014; IN COMMERCE 2-6-2014.

PRINCIPAL REGISTER

OWNER OF U.S. REG. NOS. 980,466, 2,257,934, AND 4,371,372.

THE TRANSLITERATIONS OF THE CHINESE CHARACTERS IN THE MARK ARE "DA, WEI, KANG, DI". THESE TRANSLATE INTO ENGLISH TO MEAN "BIG, POWERFUL, HEALTHY, EARTH".

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARMS", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE WORDS "WAYNE FARMS" WITH A LINE ABOVE AND BELOW, AND AN IMAGE OF A BARN, SILO AND TREE WITHIN A PARTIAL OVAL ABOVE THE WORDS. A SERIES OF CHINESE CHARACTERS ARE CENTERED BELOW THE LINE UNDER "WAYNE FARMS".

SER. NO. 86-212,615, FILED 3-6-2014.

VERNA BETH RIRIE, EXAMINING ATTORNEY



Michelle K. Len **Deputy Director of the United States** Patent and Trademark Office

# REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

**Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <a href="http://www.uspto.gov">http://www.uspto.gov</a>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <a href="http://www.uspto.gov">http://www.uspto.gov</a>.